

NELSON CHAN (#109272)  
 Chief Counsel  
 SUSAN SAYLOR (#154592)  
 Special Projects Counsel  
 DEPARTMENT OF FAIR EMPLOYMENT  
 AND HOUSING  
 39141 Civic Center Drive, Suite 410  
 Fremont, CA 94538  
 Telephone: (510) 789-1031  
 Attorneys for the DFEH  
 [Filing fee exempt, Gov. Code, § 6103]

RECEIVED  
 FILED  
 CLERK OF THE SUPERIOR COURT  
 COUNTY OF ALAMEDA  
 K. Grillo

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 IN AND FOR THE COUNTY OF ALAMEDA

THE DEPARTMENT OF FAIR EMPLOYMENT  
 AND HOUSING, an agency of the State of  
 California,

Case No. RG12621479

Plaintiff,

DECLARATION OF JOHN DOE IN  
 SUPPORT OF MOTION TO PROCEED  
 USING FICTITIOUS NAMES

vs.

LAW SCHOOL ADMISSION COUNCIL, INC.,  
 a Delaware tax exempt corporation, and DOES  
 ONE through TEN, inclusive,

Defendants.

Date: May 15, 2012  
 Time: 10:30 am  
 Dept. 31, Hon. Evelio Grillo presiding

JOHN DOE, JANE DOE, PETER ROE,  
 RAYMOND BANKS, KEVIN COLLINS,  
 RODNEY DECOMO-SCHMITT, ANDREW  
 GROSSMAN, ELIZABETH HENNESSEY-  
 SEVERSON, OTILIA IOAN, ALEX JOHNSON,  
 NICHOLAS JONES, CAROLINE LEE,  
 ANDREW QUAN, STEPHEN SEMOS,  
 GAZELLE TALESHPOUR, KEVIN  
 VIELBAUM, AUSTIN WHITNEY, and all other  
 similarly situated individuals,

Real Parties in Interest.

I, John Doe, hereby declare:

1           1.     I am an applicant to law school and a real party in interest in this lawsuit against the  
2 Law School Admission Council, Inc. (LSAT). I have personal knowledge of the above-captioned  
3 case, and if called upon to testify, I could do so competently.

4           2.     I am 25 years old.

5           3.     I have ADD, as well as encephalopathy from a bacterial infection which required  
6 approximately two month of hospitalization and a medically-induced coma for several weeks. During  
7 this illness, I suffered from a severe brain edema which left me with residual neurological  
8 impairments, for which I requested reasonable accommodations on the LSAT.

9           4.     I believe that LSAC has violated my rights as a person with a disability and I wish to  
10 participate in the lawsuit being handled by the DFEH as a real party in interest. However, I do not  
11 wish to reveal my true name.

12          5.     I would like to retain my right to privacy in my medical condition because of its  
13 highly personal and sensitive nature. Because of the judgment I have already faced for my traumatic  
14 brain injury and my potentially life-long residual impairments, I am concerned about becoming  
15 permanently labeled as "disabled." I miraculously survived LeMierre's Syndrome, a rare bacterial  
16 infection of which I was the 137<sup>th</sup> documented case since 1936. It has an 8 percent survival rate; thus  
17 only around 11 people have survived it. Of these few, most end up in a fully compromised state with  
18 significant organ failures, including the kidneys, lungs, pancreas, heart and brain. Despite being  
19 considered "two hours away" from death before my "last resort" thoracic surgery, I have recovered  
20 astonishingly well. However, because of the severity of this illness and the societal stigma associated  
21 with it, I want to avoid any possibility of being mistaken as a "vegetable" by the world. I do not want  
22 to be ostracized by society due to the unfortunate events that have occurred.

23          6.     I am also afraid that, if my real name is used in the DFEH lawsuit, it will have a  
24 negative impact on my career. I have already struggled with having to explain the gap in my resume  
25 to potential employers who are deterred from considering me when I describe the critical condition I  
26 was in and the extensive recovery period it took to heal. As a result, I am sensitive to having been  
27 critically ill, and am fearful that it will prejudice me later by future employers who recognize my



1 involvement in this lawsuit. Furthermore, I know I can continue to outperform others when given a  
2 fair opportunity.

3 7. I would like to participate in this case using a fictitious name.

4 I declare under penalty of perjury under the laws of the State of California that the foregoing  
5 is true and correct.

6 Executed on this 29 day of March, 2012, at San Diego, California.

7  
8 [Redacted Signature]  
9 [Redacted Signature]

10 *John Doe*  
11 Real Party in Interest  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

